

FILED

8/9/2017

THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
WESTERN DIVISION

RECEIVED

JUL 31 2017

THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

Job E. AYALA

(Enter above the full name
of the plaintiff or plaintiffs in
this action)

vs.

CPD officer Corona

CPD officer Delaney

CPD officer Houlihan

CPD officer IZA

CPD officer Macniff

CPD officer Konior

CPD officer Brown

(Enter above the full name of ALL
defendants in this action. Do not
use "et al.")

1:17-cv-05621

Judge Rebecca R. Pallmeyer

Case No. (To be assigned)
Magistrate Judge Susan E. Cox
PC2

CHECK ONE ONLY:

AMENDED COMPLAINT

X

COMPLAINT UNDER THE CIVIL RIGHTS ACT, TITLE 42 SECTION 1983
U.S. Code (state, county, or municipal defendants)

COMPLAINT UNDER THE CONSTITUTION ("BIVENS" ACTION), TITLE
28 SECTION 1331 U.S. Code (federal defendants)

OTHER (cite statute, if known)

**BEFORE FILLING OUT THIS COMPLAINT, PLEASE REFER TO "INSTRUCTIONS FOR
FILING." FOLLOW THESE INSTRUCTIONS CAREFULLY.**

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

I. Plaintiff(s):

- A. Name: Job E. AYALA
- B. List all aliases: _____
- C. Prisoner identification number: B-34791
- D. Place of present confinement: Danville correctional center
- E. Address: 3820 E. Main St. Danville, IL. 61834

(If there is more than one plaintiff, then each plaintiff must list his or her name, aliases, I.D. number, place of confinement, and current address according to the above format on a separate sheet of paper.)

II. Defendant(s):

(In **A** below, place the full name of the first defendant in the first blank, his or her official position in the second blank, and his or her place of employment in the third blank. Space for two additional defendants is provided in **B** and **C**.)

- A. Defendant: Corona
Title: CPD officer # 3331
Place of Employment: Chicago Police Department
- B. Defendant: Delaney
Title: CPD officer # 4024
Place of Employment: Chgo Police Department
- C. Defendant: Macniff
Title: CPD officer # 11549
Place of Employment: Chicago Police Department

(If you have more than three defendants, then all additional defendants must be listed according to the above format on a separate sheet of paper.)

- D. Defendant: Houlihan
Title: CPD officer # 4837
Place of Employment: Chicago Police Department
- E. Defendant: Brown
Title: CPD officer # 20982
Place of Employment: Chicago Police Department
- F. Defendant: Konior
Title: CPD officer # 14328
Place of Employment: Chicago Police Department
- G. Defendant: IZA
Title: CPD officer # 12649
Place of Employment: Chicago Police Department

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

III. List ALL lawsuits you (and your co-plaintiffs, if any) have filed in any state or federal court in the United States:

- A. Name of case and docket number: NONE
- B. Approximate date of filing lawsuit: NONE
- C. List all plaintiffs (if you had co-plaintiffs), including any aliases: NONE
- D. List all defendants: NONE
- E. Court in which the lawsuit was filed (if federal court, name the district; if state court, name the county): NONE
- F. Name of judge to whom case was assigned: NONE
- G. Basic claim made: NONE
- H. Disposition of this case (for example: Was the case dismissed? Was it appealed? Is it still pending?): NONE
- I. Approximate date of disposition: NONE

IF YOU HAVE FILED MORE THAN ONE LAWSUIT, THEN YOU MUST DESCRIBE THE ADDITIONAL LAWSUITS ON ANOTHER PIECE OF PAPER, USING THIS SAME FORMAT. REGARDLESS OF HOW MANY CASES YOU HAVE PREVIOUSLY FILED, YOU WILL NOT BE EXCUSED FROM FILLING OUT THIS SECTION COMPLETELY, AND FAILURE TO DO SO MAY RESULT IN DISMISSAL OF YOUR CASE. CO-PLAINTIFFS MUST ALSO LIST ALL CASES THEY HAVE FILED.

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

IV. Statement of Claim:

State here as briefly as possible the facts of your case. Describe how each defendant is involved, including names, dates, and places. **Do not give any legal arguments or cite any cases or statutes.** If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. (Use as much space as you need. Attach extra sheets if necessary.)

1. on Oct 3rd, 2015 approx. 10:30 pm at 2938 W. Fullerton ave Chicago, IL 60647, I was walking out of the Two Way Bar up to a Taxi that I had called and was waiting for me parked at the curb in front of the bar.
2. when suddenly I was grabbed from behind by two individuals. AS I turned around and put my hands up defensively, I was physically assaulted and attacked.
3. I was thrown to the ground and pummeled and stomped about the head and ribs by Seven individuals,
4. In the process causing me to loose consciousness and suffer head trauma, concussion, and three broken ribs.
5. Not until after I was handcuffed did these individuals announce themselves as being Chicago police officers.

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

6. Officers involved: Corona # 3331, Delaney # 4024
Macniff # 11549, Haulihan # 4837, Brown # 20982
IZA # 12649, Konior # 14328
7. These officers have a history of misconduct
and excessive force. (I have complaint history
records)
8. Only after subduing me did they announce
their office
9. They never read me my miranda rights and
never told me I was under arrest.
10. They refused to give me medical attention
even after several repeated requests.
11. Not until I was in lock up for several
hours, did other officers come along, in
charge of transfers, and offered me medical
attention.
12. Then and only then was I taken to the
hospital for proper medical attention. (I have
medical records)
13. I have eight witnesses to the
incident. They are willing to testify in
court. continued on next page →

14. I have thier names, addresse s,
age, phone numbers, and occupation.
These are the witnesses that
were present during the incident
that occured at the time of my
arrest
15. Your Honor I would like to send
you a copy of the witnesses
information, but I fear that the
officers will obtain that information.

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

V. Relief:

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

I am seeking -

Compensatory Damages = \$250,000.00
Punitive Damages = \$250,000.00
All officers to get fired.

VI. The plaintiff demands that the case be tried by a jury. ☒ YES ☐ NO

CERTIFICATION

By signing this Complaint, I certify that the facts stated in this Complaint are true to the best of my knowledge, information and belief. I understand that if this certification is not correct, I may be subject to sanctions by the Court.

Signed this 20th day of July, 2017

Job E. Ayala

(Signature of plaintiff or plaintiffs)

Job E. AYALA

(Print name)

B-34791

(I.D. Number)

3820 E. Main St.

Danville, IL. 61834

(Address)

JOB A/HEN 321111
3820 E. Main St.

Danville, IL. 61834

Legal
Mail

Legal

Mail



07/31/2017-27

Office of
Clerk of the U.S. District Court
219 S. Dearborn St.
Chgo, IL. 60604

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Judge Rebecca R. Pallmeyer
Magistrate Judge Susan E. Cox
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THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

IMMATE
CORRESPONDENCE

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